

REMARKS

This Amendment accompanies a Request for Continued Examination and fulfills the requirements for submission under 37 C.F.R. § 1.114.

Claims 1-10, 12-14, 16 and 17 are pending in this application. In the Final Office Action, the Examiner rejected claims 1-10, 13, 14, 16, and 17 under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 5,986,673 to Martz, in view of U.S. Patent No. 6,252,597 to Lokuge, and rejected claim 12 under 35 U.S.C. §102(e) as being anticipated by Martz.

Applicants respectfully traverse these rejections for the following reasons.

Summary of this Amendment

By this Amendment, Applicants amend claims 1, 12, 13, 16, and 17 to more appropriately claim what Applicants consider as their invention. For the following reasons, Applicants respectfully traverse the Examiner's rejections, and request the timely reconsideration and allowance of the pending claims.

Detailed Response

Rejections under 35 U.S.C. § 103(a)

The rejections of claims 1-10, 13, 14, 16, and 17 as unpatentable under 35 U.S.C. § 103(a) are respectfully traversed, since the cited art does not render the claimed combination obvious. To render the pending claims obvious under 35 U.S.C. § 103(a), each of three requirements must be met. First, the reference or references, taken alone or in combination, must teach or suggest each and every element recited in the claims. Second, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to combine the references in a manner resulting in the claimed invention. Third, a reasonable expectation of success must exist. Moreover, each of

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these requirements must “be found in the prior art, and not be based on applicant’s disclosure.” (See M.P.E.P. § 2143 (8th Ed. 2001)). Applicants submit that these requirements have not been met for at least the following reasons.

Independent claim 1 recites a combination including “altering the second visual representation to highlight the selected subset, while simultaneously displaying the first visual representation,” wherein the first visual representation “is of [a] set of records,” and the second visual representation is “of a plurality of the records in the set.” Regarding this claim, the Examiner admitted that Martz “does not expressly teach altering the second visual representation to highlight the selected subset, even though...MARTZ discloses differing data presentation.” (O.A. at 4.) Instead, the Examiner asserted that “Lokuge suggest[s] altering the second visual representation to highlight the selected subset.” (*Id.*) Applicants respectfully disagree with the latter assertion and submit that the combination of Lokuge and Martz neither discloses nor suggests the claimed combination.

First, Martz fails to disclose or suggest at least “altering the second visual representation to highlight the selected subset, while simultaneously displaying the first visual representation,” wherein the first visual representation “is of [a] set of records,” and the second visual representation is “of a plurality of the records in the set.” Applicants respectfully submit that whether or not Martz shows “differing data presentation” is simply irrelevant, because there is no suggestion in Martz to display “altering the second visual representation to highlight the selected subset, while simultaneously displaying the first visual representation,” as recited in claim 1.

At best, Martz shows a single display of a plurality of records, (*see* Fig. 8), with a hotspot showing a single record. *See* Col. 11, lines 2-8 (“The figure also shows the hot spot readout of values for a particular mineral..”). However, even if the hotspot could be the second visual

representation (which Applicants submit it cannot), it does not teach or suggest “altering the second visual representation to highlight the selected subset, while simultaneously displaying the first visual representation,” as recited in claim 1.

Furthermore, Applicants respectfully submit that Lokuge fails to cure the deficiencies of Martz. As with Martz, Lokuge fails to either disclose or suggest at least “altering the second visual representation to highlight the selected subset, while simultaneously displaying the first visual representation.” Lokuge, as with Martz, does not disclose or suggest displaying more than one visual representation simultaneously. Applicants respectfully submit that without the second visual representation there can be no “alter[ing] the second visual representation to highlight the selected subset,” as recited in claim 1.

Applicants therefore respectfully request allowance of claim 1. Furthermore, Applicants request allowance of dependent claims 2-10 which are allowable by virtue of their dependence from an allowable claim.

For similar reasons to those set forth above regarding claim 1, claims 13, 14, 16, and 17 are also allowable. For example, claims 13, 14, 16, and 17, while of different scope, each recite combinations, for example, a step of “altering the second visual representation based on the input, when the selected subset is shown in the second visual representation, simultaneous with the displaying the surface map” (claims 13 and 14), “altering the second visual representation based on the input, when one or more records in the selected subset are shown in another view, simultaneous with the displaying the surface map” (claim 16); and “means for altering the second visual representation based on the input, when one or more records in the selected subset are shown in the second visual representation, simultaneous with the displaying the first surface map” (claim 17). For the reasons set forth above with regard to claim 1, Applicants respectfully

submit that neither Martz nor Lokuge disclose or suggest at least these features. Applicants therefore respectfully submit that claims 13, 14, 16, and 17 are allowable.

Rejection under 35 U.S.C. § 102(e)

The rejection of claim 12 as being anticipated under 35 U.S.C. § 102(e) by Martz is respectfully traversed, since the cited art does not disclose the claimed combination. In order to properly anticipate Applicants' claimed invention under 35 U.S.C. § 102(e), a single reference must teach each and every element of the claim in issue, either expressly or under principles of inherency. Furthermore, "[t]he identical invention must be shown in as complete detail as is contained in the claim." See M.P.E.P. § 2131(8th Ed. Aug. 2001), *quoting Richardson v. Suzuki Motor Co.*, 868 F.2d 1126, 1236 (Fed. Cir. 1989). Finally, "[t]he elements must be arranged as required by the claim." M.P.E.P. § 2131 (8th Ed. 2001). Applicants submit that these requirements have not been met for at least the following reasons.

Independent claim 12 recites a combination including, among other things, "indicating, in a view linked to the surface map, a plurality of the records corresponding to the selected portion, simultaneous with the displaying the set of view." As discussed above, Martz fails to disclose such a feature. For the reasons set forth above, Applicants submit that claim 12 is allowable.

Conclusion

In view of the foregoing remarks, Applicant respectfully requests the reconsideration and reexamination of this application and the timely allowance of the pending claims.

Please grant any extensions of time required to enter this response and charge any additional required fees to our deposit account 06-0916.

Respectfully submitted,

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